

# Notice of Allowability

Application No.

09/639,171

Examiner

Ryan J Hesseltine

Applicant(s)

TSUKAMURA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed October 1, 2004.
2. ☒ The allowed claim(s) is/are 1, 2 and 4-20.
3. ☒ The drawings filed on 16 August 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____  |

JINGGEWU  
PRIMARY EXAMINER

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments on page 7, fifth paragraph, filed October 1, 2004, with respect to claim 8 have been fully considered and are persuasive. The 35 U.S.C. 112, second paragraph rejection of claim 8 has been withdrawn.

2. Applicant's arguments on pages 7-13, filed October 1, 2004, with respect to claims 1-18 have been fully considered and are persuasive. The 35 U.S.C. 103(a) rejections of claims 1-18 have been withdrawn.

3. The rejection of claim 3 is rendered moot by applicant's cancellation of that claim.

### ***Allowable Subject Matter***

4. Claims 1, 2 and 4-20 are allowed.

5. The following is an examiner's statement of reasons for allowance: claims 1, 4, 5, 10, 14 and 19 recite limitations not found in the prior art of record.

6. Claim 1 claims a fingerprint collating device comprising a controller for setting a fingerprint accepting flag associated with read fingerprint information indicating that read fingerprint information is normally produced through a prism. Claim 4 claims a fingerprint collating method comprising setting a fingerprint accepting flag associated with read fingerprint information indicating that read fingerprint information is normally produced through a prism.

7. Claim 5 claims a fingerprint collating system comprising means for generating a collation instruction and an index number, and means for setting a fingerprint accepting flag in a first memory unit when a fingerprint image of the user is normally produced through a prism. Claim 10 claims a method for collating a fingerprint comprising generating a collation instruction and

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an index number, and setting a fingerprint accepting flag in a first memory unit when a fingerprint image is normally produced through a prism.

8. Claim 14 claims a system for collating a fingerprint of a user comprising a collating unit that retrieves a fingerprint template of the user from a second memory unit based on an index number and collates the fingerprint image of the user with the fingerprint template when a fingerprint accepting flag is set in the second memory unit, wherein the fingerprint accepting flag is set when a fingerprint image is normally produced through a prism.

9. Claim 19 claims a fingerprint collating device comprising a controller for setting a fingerprint accepting flag associated with read fingerprint information indicating that read fingerprint information is normally produced through a prism, wherein said fingerprint accepting flag is reset when said collating is complete.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan J Hesseltine whose telephone number is 571-272-7419. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 571-272-7414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan J. Hesseltine  
April 6, 2005

